Intermec Technologies Corp. v. Palm, Inc. Doc. 111 Att. 1

EXHIBIT B

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JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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MDL 2029

BEFORE THE

Judicial Panel on Multidistrict Litigation

In re Online DVD Rental Antitrust Litigation	)	MDL Docket No. 2029

PLEADING NO. 14

RESPONSE TO MOTION TO TRANSFER

Pursuant to 28 U.S.C. § 1407 and Rule 7.2 of the Rules of the Judicial Panel on Multidistrict Litigation, Defendants Wal-Mart Stores, Inc., Walmart.com US LLC, and Netflix, Inc. (together, "Defendants"), through their undersigned counsel, hereby respond jointly to the amended motion for consolidation and transfer of the cases listed in the Schedule of Actions to Judge Phyllis J. Hamilton, United States District Judge for the United States District Court for the Northern District of California. Defendants respectfully state that they support transfer and consolidation of the cases listed in the Schedule of Actions, as well any other related case that is brought to the attention of the Panel, before Judge Hamilton in the Northern District of California. Defendant Netflix, Inc. is headquartered in Los Gatos, California, about an hour away from the courthouse in San Francisco where Judge Hamilton sits. Defendant Walmart.com US LLC is headquartered in Brisbane, California, which is roughly 15 minutes from the courthouse in San Francisco where Judge Hamilton sits. In addition, the first case in this action as well as at least thirty-two virtually identical cases have already been filed in the Northern District of California and transferred to Judge Hamilton as "related cases." Finally, Judge Hamilton and the Northern District of California are experienced in multi-district litigation of this size and are well-equipped to resolve it.

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IMAGED FEB 19 2009

Dated: February 18, 2009

Respectfully submitted,

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BEFORE THE

Judicial Panel on Multidistrict Litigation

In re Online DVD Rental Antitrust Litigation) MDL Docket No. 2029

CERTIFICATE OF SERVICE

I, Sara Ciarelli Walsh, hereby certify that a copy of the foregoing Response to Motion to Transfer was served via First Class Mail on February 18, 2009 on the following:

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